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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,702	10/18/2001	Kirk T. O'Reilly	005950-714	8619

7590

09/23/2003

E. Joseph Gess  
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EXAMINER

CHOI, FRANK I

ART UNIT

PAPER NUMBER

1616

DATE MAILED: 09/23/2003

#8

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

8

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**Commissioner for Patents**

The reply filed on 6/26/2003 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Applicant did not address the rejection as it relates to the use of sodium hydroxide as a neutralizing agent, i.e. how the new limitation "irreversibly" excludes sodium hydroxide. See 37 CFR 1.111. Applicant required Examiner, pursuant to MPEP 2144.03, to provide a reference, evidence or why no evidence is required to show that Union Carbide reference disclose irreversibly deactivating a biocide before or upon disposal of the cooling water. However, said request is premature when the claims rejected in the prior Office Action did not contain the limitation "irreversibly" and Applicant has omitted addressing how the new limitation excludes the prior art teaching of sodium hydroxide as a neutralizing agent. Since the above-mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

A facsimile center has been established in Technology Center 1600. The hours of operation are Monday through Friday, 8:45 AM to 4:45 PM. The telecopier number for accessing the facsimile machine is (703) 872-9306.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Choi whose telephone number is (703) 308-0067. Examiner maintains a flexible schedule. However, Examiner may generally be reached Monday-Friday, 8:00 am – 5:30 pm (EST), except the first Friday of the each biweek which is Examiner's normally scheduled day off.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Mr. Thurman Page, can be reached on (703) 308-2927. Additionally, Technology Center 1600's Receptionist and Customer Service can be reached at (703) 308-1235 and (703) 308-0198, respectively.

FIC

September 22, 2003

S. MARK CLARDY  
PATENT EXAMINER  
GROUP 1200

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